

Attorney's Docket No. YORK.US.2

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Koch, et al.  
Serial No.: 10/710,845  
Confirmation No.: 4844  
Filed: 08/06/2004  
For: COMBINATION FLASHING AND  
DRAINAGE SYSTEM

] Examiner: Anthony N. Bartosik  
] Group Art Unit: 3635  
]

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

DECLARATION TRAVERSING REJECTION  
37 CFR 1.132

To the Commissioner for Patents:

I, ~~William A.~~ <sup>Jr.</sup> ~~Andrew Sneed~~, being duly sworn, declare as follows:

1. That I am the Chief Operating Officer of Wasco, Inc., a masonry contracting firm that has been in business since 1966, has more than 400 employees, and has a place of business at 1138 2nd Avenue North, Nashville, TN 37208.
  
2. That I have been in the business of masonry contracting for 30 years, and my education, training, and experience in masonry consists of Associate Civil Engineer & Journeyman Brick Mason & State Certified Masonry Inspector.
  
3. That, on account of my position, education, and experience, I consider myself to be an expert in the field of masonry flashing.

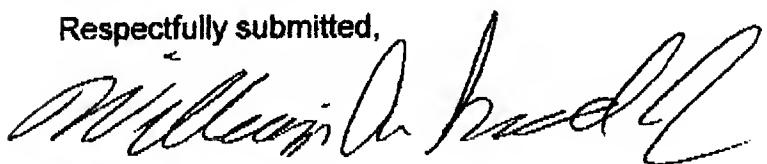
4. That I am familiar with the claimed invention, namely, a combination through-wall masonry flashing / drainage device comprising a flashing membrane, the flashing membrane having a first side and a second side opposite the first side; a reinforcing cloth adhered to the flashing membrane first side; and a wicking cloth adhered to the flashing membrane second side, hereinafter referred to as FLASHVENT™.
5. That upon learning about FLASHVENT I was skeptical that it would work as claimed.
6. That we tested FLASHVENT by building a sample test panel and purposefully introduced excessive mortar droppings, and emptying five gallons of water into the cavity between the concrete and masonry walls.
7. That we were amazed at how rapidly all the water wicked out of the wall, proving that the invention works as claimed.
8. That the test panel wall is more than 18 months old and performs better today than the day we built it.
9. That we are excited about this product and intend to use it in place of the three or four component system that is prevalent in the field now.

10. That FLASHVENT is definitely one of the most innovative flashing products I have seen in the last 20 years.

11. That I have no financial interest in this patent application or in the assignee York Manufacturing except as a paying customer.

I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,



William A.  
Andrew Sneed, Jr.

Date: February 12, 2008